

TOWNSHIP OF WELLS
Tuscola County, Michigan
FIRE RUN CHARGE ORDINANCE
Ordinance 07-11

An ordinance to establish charges for fire department services under Public Act 33 of 1951, as amended, (MCL 41.801, et seq.) and to provide methods for the collection of such charges.

THE TOWNSHIP OF WELLS, TUSCOLA COUNTY, MICHIGAN ORDAINS:

Section 1: Purpose

This ordinance is adopted for the purpose of providing financial assistance to the township for the contracting of fire department services through neighboring fire departments. The source of financial assistance will be from those receiving direct benefits from the fire department's services.

Section 2: Charges

Anytime the contracting fire department is called out to the township for a fire department service, the property owner and/or responsible party will be charged a fire run fee. Fire run fees shall be charged in accordance with a resolution adopted by the township board. The resolution of charges may be amended by the township board.

Section 3: Exemptions

The following properties and services shall be exempt from fire run charges:

- a) First time "false fire alarms"
- b) Fires involving state and township property.

Section 4: Payment of Charges

The foregoing charges shall be due and payable to the township within 60 days after the date services are billed.

Section 5: Collection of Charges

The township board delegates the authority and responsibility for billing and the collection of charges to the township clerk and treasurer respectively. When insurance information is provided by the fire departments, a bill shall be sent to the property owner and/or responsible party and a copy of the bill sent to their insurance company. The township board may waive charges in hardship cases.

Section 6: Unpaid Charges

Any charges not paid or any remaining unpaid balances shall be sent to a collection agency or any other remedies provided by law for the collection of said charges and a collection fee will be added on to the unpaid balance due.

Section 7: Multiple Property Protection

When a particular service rendered by the contracting fire department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited shall be liable for the payment of the full charge for such services.

Section 8: Severability

Should any provision or part of this ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this ordinance, which shall remain in full force and effect.

Section 9: Repealer Provision

Fire Protection Ordinance No. 11 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Motion by Dick Witkovsky, supported by Curt Diver that the foregoing ordinance be adopted.

Roll call vote:

Melvin Witkovsky-yes

Karen Varney-yes

Joanne Burda-yes

Curtis Diver-yes

Dick Witkovsky-yes

I hereby certify that the foregoing ordinance was adopted by the township board of said township at a regular meeting held on July 12, 2007 at which meeting a quorum was present, by a roll call vote of said members as set forth and that said ordinance was ordered to take immediate effect.

_____, Clerk